

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: 0.5 cfs
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
10. ☐ **I object because:**
☐ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** ① This has historically been the quantity (1983 claim to Water Right Enclosed)
② This quantity is necessary for sandy type soil at this location ③ Original size matches pump capacity.

F.

VERIFICATION (must be completed)

State of Idaho)

County of Nez Perce) ss.

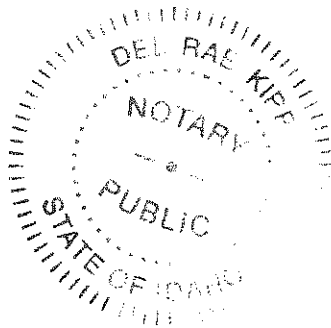
R. Patrick KERBY, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Pat Kerby
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: November 9, 2005



Del Rae Kipp
Notary Public for Idaho
Residing at: Hawaii
My Commission Expires: 2-27-2010

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on November 9, 2005, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: R Patrick Kerby
Address: 31219 US Highway 12
Lenore, ID 83541

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449

Rat Kerby
Signature of objector or attorney
mailing on Objector's behalf

JUL 5 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Northern District Office

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-236(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that

(Name of Claimant)

Telephone No. _____

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claims is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 2/24/1997

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs. at)		(Domestic, Irrigation, Stock, Etc.)		(Born dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	5	Use	IRRIGATION	Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

- (4) TOTAL QUANTITY USED, (cfs, af)
- (5) A) Point of diversion: (Location of point where water is diverted from its source)

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724 7 1/2 Sec. 34 Twp. 37 Rge. 34 B.M., County of Madison Ill.
 Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 5 HP CENTRIFUGAL PUMP TRAIL 3"
6.8.65

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

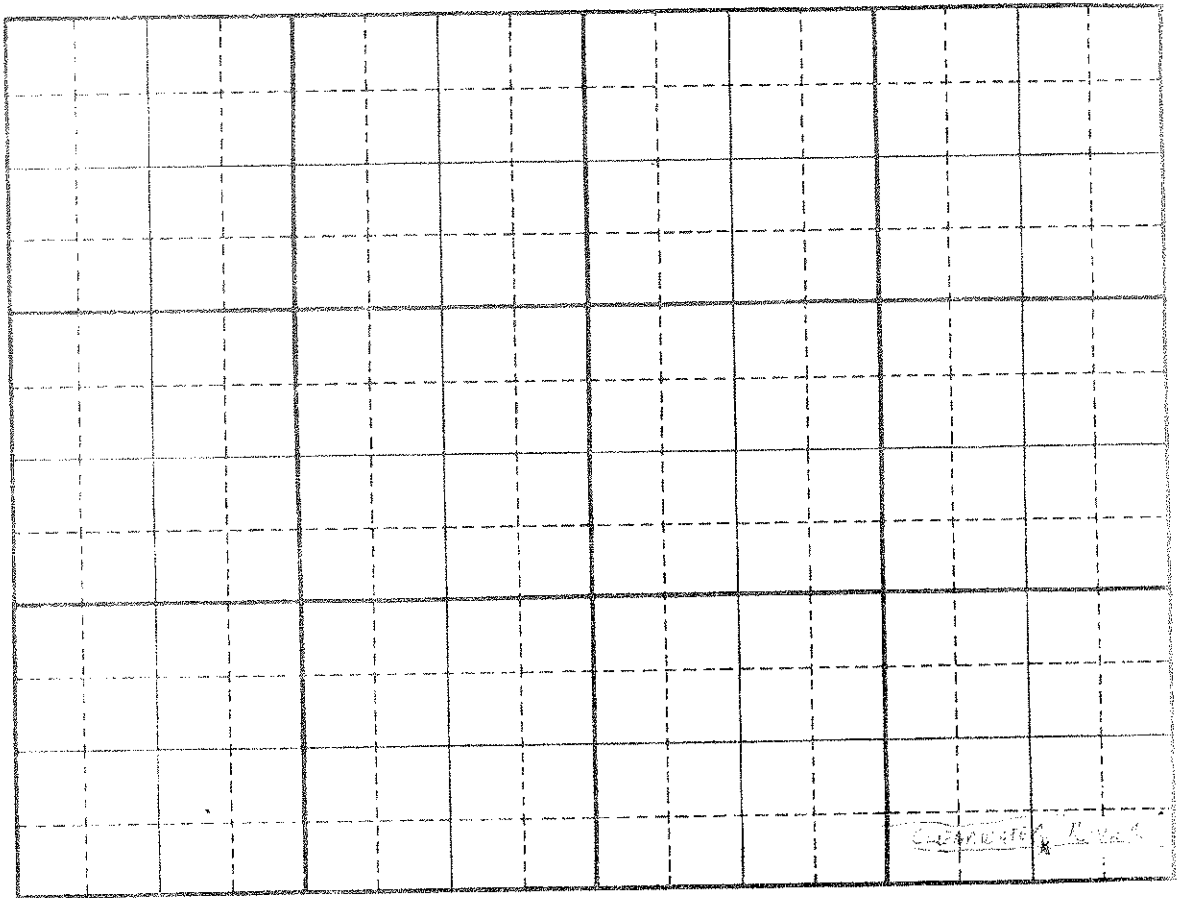
No. of acres 4.21

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Industrial

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization: None

REMARKS



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

County of My Place) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 30th day of June

Frank E. Kaylor
(Claimant)
by Donnell G. Smith
1983

James E. Lloyd
Notary Public
OF THE DISTRICT COURT AND
Residing at
CLERK OF DISTRICT COURT AND RECORDER
NEW IDAHO COUNTY, IDAHO

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by RSA Date 7/5/83 Exception filed by: _____ Date _____
Prelim. check by RA Date 7/6/83
\$30.00 fee received by RA Date 7/6/83 # 25685
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